



# *Legislative Briefing*

## **AG Cases in the News**

### **PINDER SENTENCED**

A judge recently sentenced convicted murderer John Pinder to a minimum mandatory of 40 years followed by two consecutive life sentences. Pinder was convicted in 1998 after killing two of his ranch employees and using explosives to dispose of the bodies.

### **INMATE LOSES APPEAL OVER CHILDREN'S BAPTISM**

A man who killed his wife in 1986 lost an appeal to the Supreme Court claiming his rights were violated when his children were baptized into The Church of Jesus Christ of Latter-day Saints by their legal custodian.

### **STATE PREVAILS IN PETA SUIT**

Two years ago People for the Ethical Treatment of Animals (PETA) sued Granite School District after members were prevented from protesting at a local junior high school. A federal judge recently ruled in the district's favor, stating that the law which prohibits the disruption of school activities was applied constitutionally.

## **Tobacco Attorneys Make Settlement Offer**

Attorney General Shurtleff will brief party caucuses today about efforts to resolve the attorneys' fees dispute in Utah's tobacco settlement. He has been negotiating with the claimants and has agreed to present their offer to the Legislature for consideration.

One-quarter of Utah's settlement payments have been held by the court pending resolution of this issue.

## **Tillman Execution Stayed**

On June 12 death row inmate Elroy Tillman was granted a stay of execution after his attorney suffered a heart attack during Tillman's commutation hearing. The stay is effective until June 25, at which time the state will file another request for an execution warrant.

## **Victory in the Nuclear Waste Storage Battle**

The State successfully petitioned the Nuclear Regulatory Commission to have the licensing board consider seismic design issues for the facilities at Private Fuels Storage (PFS). As a result, PFS may have to do considerable additional design work for the facility to better deal with the potential for earthquakes.

## **The Latest in Utah's Census Challenge**

Last week the State asked the court to rule that the Constitution and the Census Act require an actual count of the population instead of statistical sampling. While the Census Bureau counted 99% of the population based on actual data, it admits to estimating the size of the remaining households. Attorneys recently discovered the count includes estimates at addresses that may not even exist. A hearing is scheduled for August 29.

Last week the Attorney General's Office also notified the court that it is appealing the decision to dismiss Utah's first census lawsuit to the Supreme Court. The first suit challenged the exclusion of overseas missionaries in the Census.

## Suspects Charged Using New Internet Crime Law

The Attorney General's Office has filed the first charges under Utah's new law that prohibits enticing a minor over the Internet to engage in sexual activity. Last month the Utah Internet Crimes Against Children Task Force opened 19 new investigations and made seven arrests.

## Prosecution Unit Fighting Meth

A Sandy man was sentenced on June 4th to 60 months in prison for possession of methamphetamine with the intent to distribute. This is just one of the 186 cases the Attorney General's methamphetamine prosecution unit has handled this year; 100 of those cases involve clandestine labs. So far this year, 24 individuals have been sentenced to prison and 20 others have received jail time.

## Criminal Non-Support Cases Move Forward

Earlier this month the Attorney General's Office warned deadbeat parents they could face jail time for failure to pay child support. Because the office has limited resources to prosecute these cases, a freeze on new cases was imposed last year. Attorney General Shurtleff has lifted the freeze and has instructed attorneys to take on new cases.

We continue to take many calls. If we can help your constituents with this or any other matter, please call our office at 538-9600.

## Improving Child Protection Efforts

The Attorney General's Office is working with the Utah Division of Child and Family Services to train Child Protective Services workers how to properly investigate reports of child abuse. The goal is to increase the worker's ability to make correct judgments about whether or not a child abuse has occurred.

Members of the Attorney General's Child Protection Division and the Children's Justice Division are also working on a multi-agency task force to create a training academy for child abuse investigators. The academy will teach interview techniques that have proven effective in getting truthful answers from child victims.

## A Report on Investigations Within Closed Societies

During the Tom Green case, AG investigators had a chance to interview members of nearly every polygamist group in Utah. In a few groups, individuals spoke about sexual, emotional, and physical abuse of children, women, and men within their group.

Investigators also noted tremendous pressure in some groups for girls to enter into marriages at a very early age. Families who rely on the group for employment or shelter may agree to let a young girl marry not only to be obedient to their leaders, but to protect their livelihood.

Investigators are also concerned about incestuous relationships. Some leaders justify relationships between fathers and daughters through various religious doctrines, while others operate under a doctrine which allows sexual access to all women within the group.

Because these groups are very much "closed societies," victims of crime are discouraged from reporting their victimization to law enforcement. Victims fear their lifestyle will be the focus of attention rather than the crime being committed against them. Consequently, members of closed societies are often denied the equal protection of the law afforded to other citizens.

Some fundamentalist leaders acknowledge problems among members and welcome involvement from law enforcement and social service agencies.

For additional information, please contact Ron Barton at (801) 366-0310.

The Attorney General's Office represents the State in thousands of cases each year. If you need information on any matter being handled by our office, please call Paul Murphy, Ric Cantrell, or Tracey Tabet at 538-9600, or call Attorney General Mark Shurtleff at 538-1191. Thank you.